



September 16, 2022

Honorable Stanley A. Bastian
Chief District Judge
United States District Court for the Eastern District of Washington
PO Box 2706
Yakima, WA 98907

Dear Chief Judge Bastian:

I write on behalf of Tyson Fresh Meats, Inc. ("Tyson"), regarding the upcoming sentencing of Cody Easterday. Tyson Fresh Meats is an industry leading supplier of top-tier fresh meats. In addition to our boxed beef and pork brands, we offer case ready, specialty cut portions and other innovative solutions to customers and consumers around the world.

Tyson's beef business relies on independent cattle feeders and ranchers to supply us with high-quality cattle and we are proud of the economic support we provide to farm families across this nation through our purchases of their crops and animals. Easterday Ranches was a cattle supplier for Tyson for many years, a relationship that we made great efforts to develop and support. We put our trust in Easterday Ranches and, more specifically, Cody Easterday, to partner with us to ensure the consistent delivery of beef products to consumers across the Pacific Northwest.

As this Court is well aware from the record in this case, Easterday Ranches, through the actions of Cody Easterday, violated that trust. Mr. Easterday weaved and executed an elaborate scheme over a four-year period to divert monies Tyson paid for cattle purchases and feeding costs for his own personal use, specifically, to cover losses he incurred in speculative trading in the futures markets. When the dust settled, more than 265,000 head of cattle that Tyson expected to have available to supply its production of beef products at its Pasco, Washington plant simply did not exist, amounting to losses to Tyson of approximately \$233 million. This figure does not include the significant amount Tyson spent on investigating and remediating the full nature and extent of the fraud, which conservatively exceeded \$5 million. And, as a publicly-traded company, Tyson was required to revise previously-issued financial statements with the Securities Exchange Commission.

Equally important—but perhaps not quite as obvious—Mr. Easterday's actions further impacted Tyson by causing disruption to, and distraction from, its business operations at an incredibly challenging time. As the Court is no doubt aware, the pandemic strained the ability of all food producers to ensure the adequacy of America's food supply. On top of navigating those already challenging issues, Tyson was also forced to deal with a largescale fraud perpetrated against it by one of its trusted cattle suppliers.

In fashioning an appropriate sentence for Mr. Easterday, we encourage the Court to not only consider the extensive nature of the fraudulent scheme and its financial impact on Tyson, but also, the broader implications of Mr. Easterday's conduct on the integrity of the nation's food supply chain. Beef products are a critical foodstuff for American consumers that require a robust and reliable supply chain to come to market. Dishonest and fraudulent conduct like that perpetrated by Mr. Easterday undermines the reliability of the food supply chain and threatens the delivery of quality, affordable products to the tables of American consumers. American consumers deserve better.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Shane Miller".

Shane Miller
Group President
Tyson Fresh Meats